

PUBLIC NOTICE

US Army Corps of Engineers New York District Jacob K. Javits Federal Building New York, N.Y. 10278-0090 ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2006-385-EJE

Issue Date: January 7, 2008
Expiration Date: February 7, 2008

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 103 of the Marine Protection, Research & Sanctuaries Act of 1972, as amended (33 U.S.C. 1413).

APPLICANT:

Giocondo DiPietro

54 Old Mount Kisco Road Armonk, NY 10504

ACTIVITY:

Single-family residential development.

WATERWAY:

Mianus River

LOCATION:

Town of North Castle, Westchester County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the

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permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

New York State Department of Environmental Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8420 and ask for Stacey M. Jensen.

For more information on New York District Corps of Engineers programs, visit our website at http://www.nan.usace.army.mil

Richard L. Tomer

Chief, Regulatory Branch

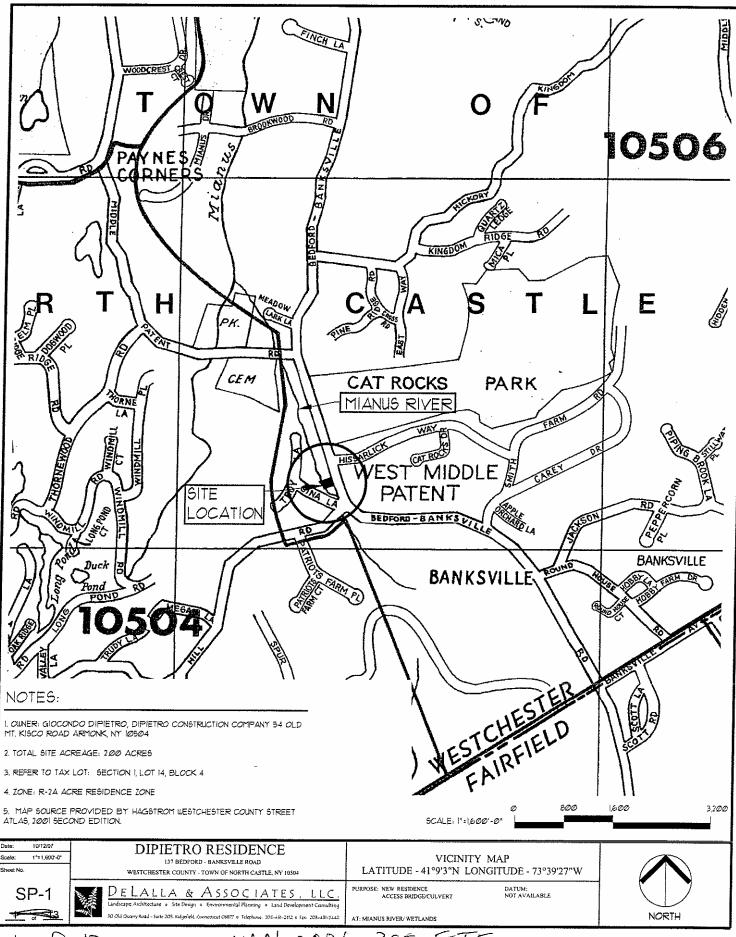
Enclosures

WORK DESCRIPTION

The applicant, Giocondo DiPietro, has requested Department of the Army authorization for a single-family residential development in the Mianus River, Town of North Castle, Westchester County, New York.

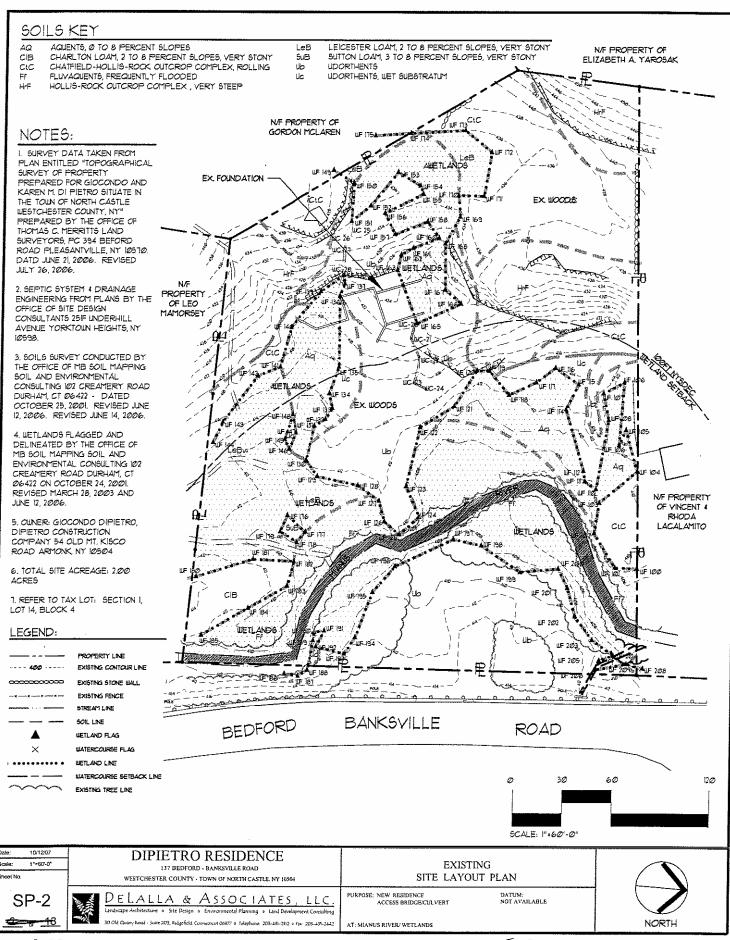
The work would involve: Construction of a single-family residence on an approximately 2-acre lot. There are approximately 0.75 acres of wetland on the project site, which drain to the Mianus River. The proposal includes the construction of a new residence, a bridge/culvert crossing of the Mianus River, a gravel access driveway, gravel parking court, and septic area. The total proposed impact to wetlands from construction would be approximately 4,570 square feet (0.1 acre). The bridge/culvert crossing would entail the construction of a 24-foot-long by 15-foot-wide crossing to provide sufficient span across the river to avoid causing disturbance to the banks or bed of the river. The proposed impact resulting from the crossing would be the riprap installed on the slopes of the banks, totaling approximately 683 square feet of wetland impact. Approximately 345 square feet of impact to wetlands are proposed to occur due to the construction of drainage outfall protection. Approximately 2,094 square feet of impact to wetlands are proposed to occur as a result of the residence foundation construction. Approximately 1448 square feet of impact to wetlands are proposed to occur as a result of the construction of the septic system. Approximately 8,508 square feet of expanded and enhanced vegetative buffers along the edges of the wetland and the Mianus River, and restoration of previously disturbed areas, would be provided as mitigation.

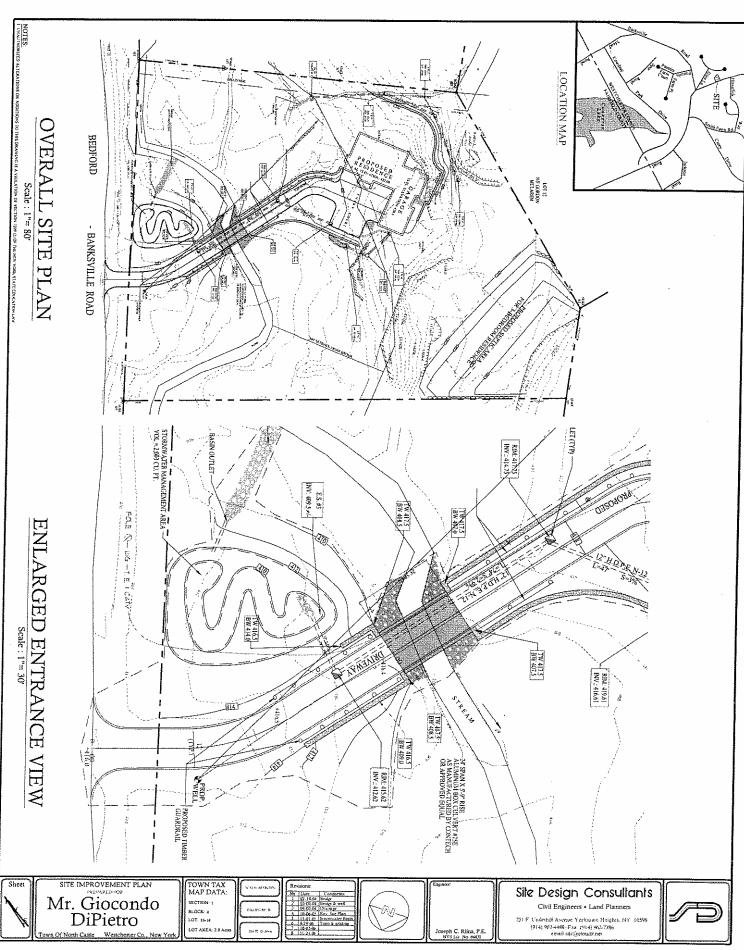
The stated purpose of this project is to provide housing.



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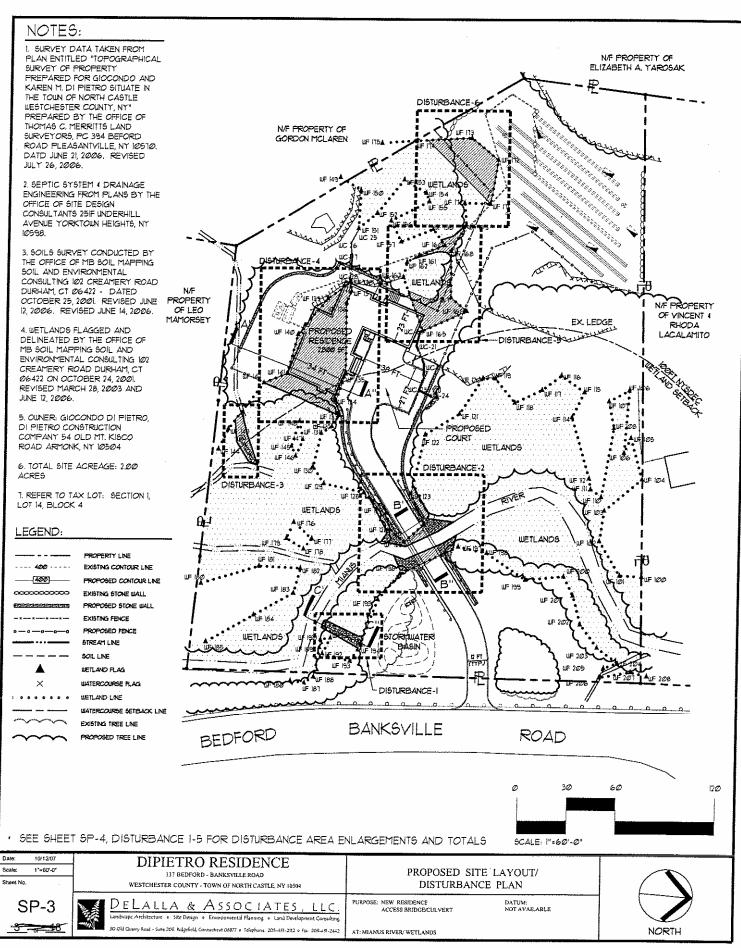
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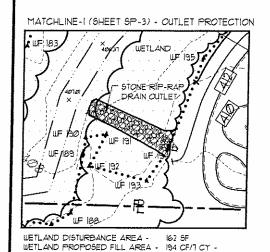




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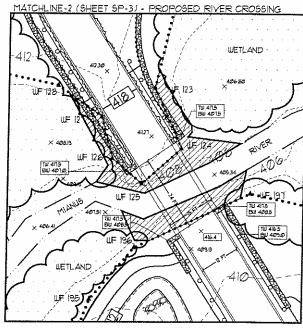




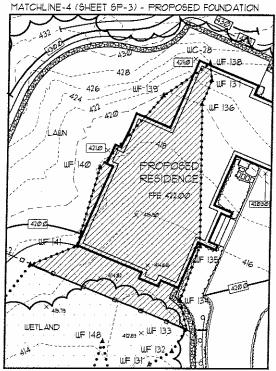
RIP-RAP FILL

WETLAND STONE RIP-RAP DRAIN OUTLET

WETLAND DISTURBANCE AREA - 183 SF PROPOSED FILL AREA - 220 CF/8 CY - RIP-RAP FILL

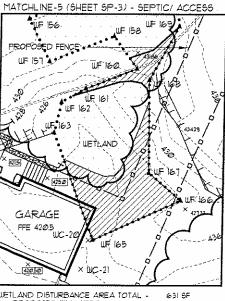


WETLAND DISTURBANCE AREA - 683 SF
WETLAND PROPOSED FILL AREA - 1025 CF/ 38 CY - RIP-RAP FILL MIANUS RIVER DISTURBANCE AREA- Ø SF - CULVERT/BRIDGE-NO FILL



WETLAND DISTURBANCE AREA TOTAL -PROPOSED FILL AREA (LAWN/ENTRY) -PROP. CUI AREA (BASEMENT)-

2094 SE 4TT CF/l8 CY 15*0*94 CF/559 CY



WETLAND DISTURBANCE AREA TOTAL -PROPOSED FILL AREA -PROPOSED CUT AREA -

Ø CF/Ø CY 63 CF/23 CY

MATCHLINE-6 (SHEET SP-3) - GRADING PROPOSED SEPTIC MAIN WETLAND **4** UF 154 PROPOSED FENCE JUF 158

WETLAND DISTURBANCE AREA TOTAL-8/1 SF PROPOSED FILL AREA - 2,506 PROPOSED CUT AREA - 0 CF/6 2,506 CF/92 CY

DISTURBANCE AREAS

TOTAL WETLAND AREAS

DESCRIPTION	TOTAL	DESCRIPTION	TOTAL
DISTURBANCE AREA (SQUARE FEET)	4,570		
PROPOSED FILL (CUBIC FEET)	4,422	PROPOSED CUT (CUBIC FEET)	15,157
PROPOSED FILL (CUBIC YARDS)	63	PROPOSED CUT (CUBIC YARDS)	561



Scale 1"=60"-0"

DIPIETRO RESIDENCE

137 BEDFORD - BANKSVILLE ROAD

WESTCHESTER COUNTY - TOWN OF NORTH CASTLE, NY 10584

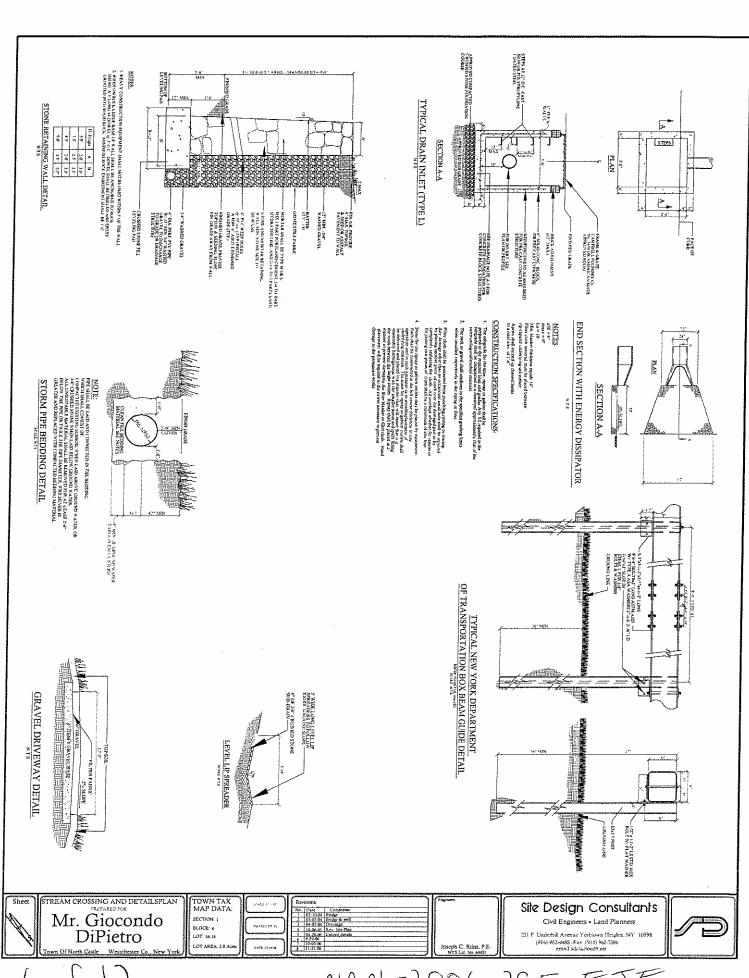
ALLA & ASSOCIATES, LLC.

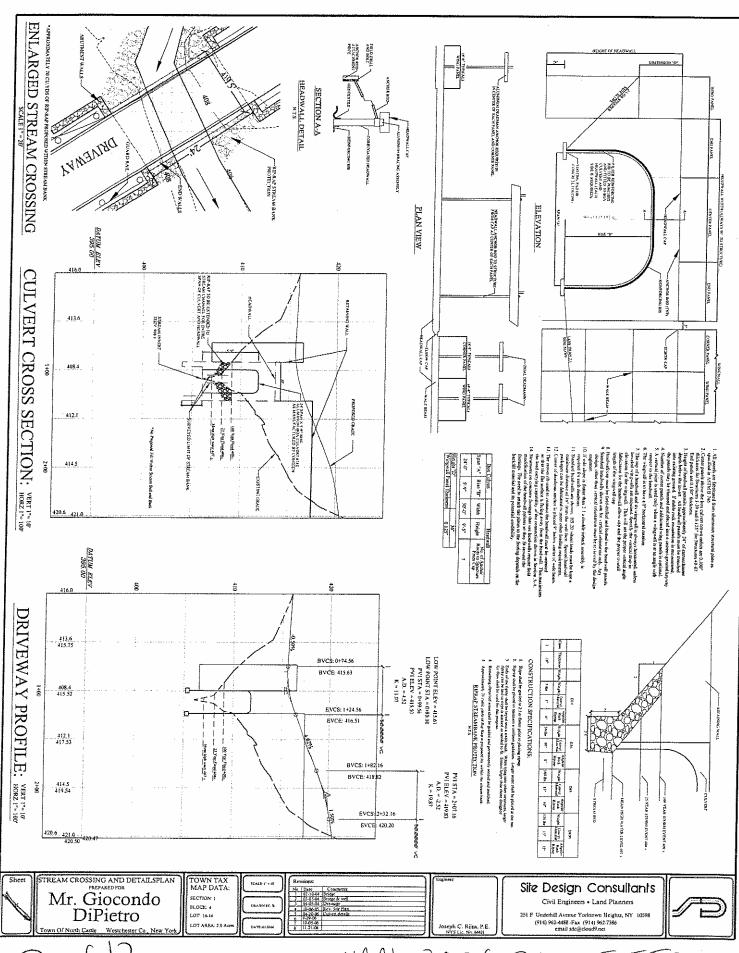
PROPOSED SITE LAYOUT/ DISTURBANCE PLAN ENLARGEMENTS

PURPOSE: NEW RESIDENCE ACCESS BRIDGE/CULVERT

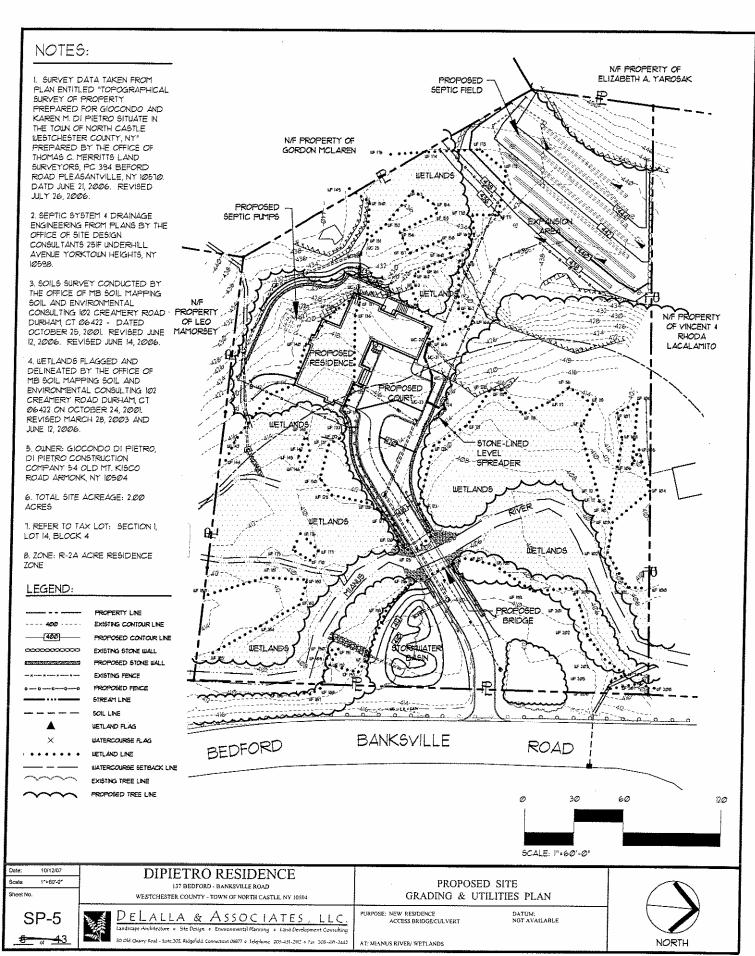
DATUM: NOT AVAILABLE

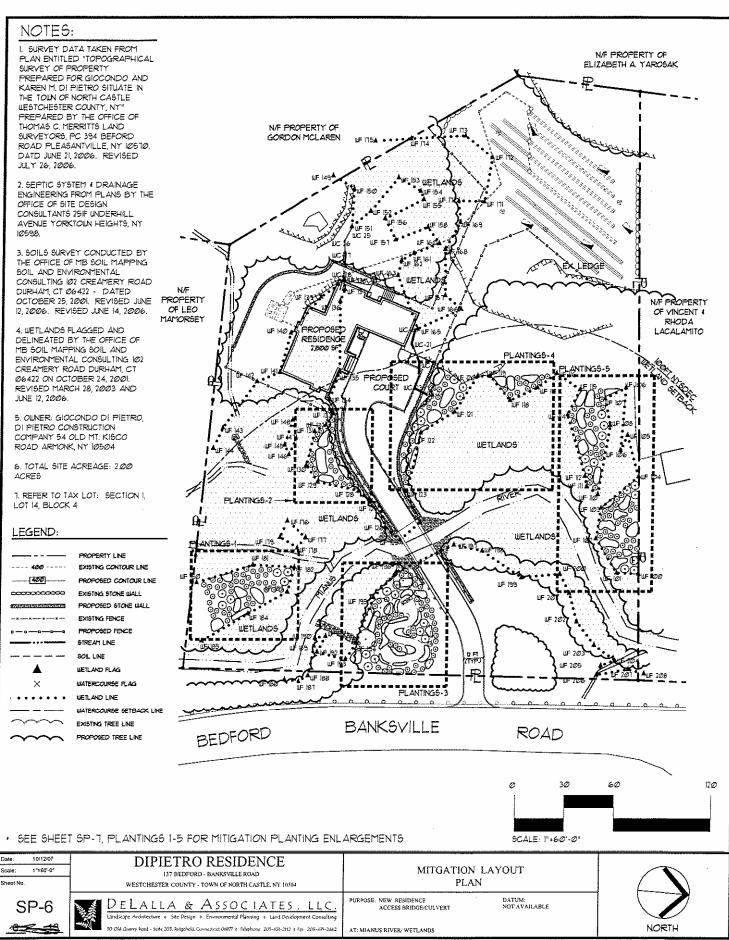


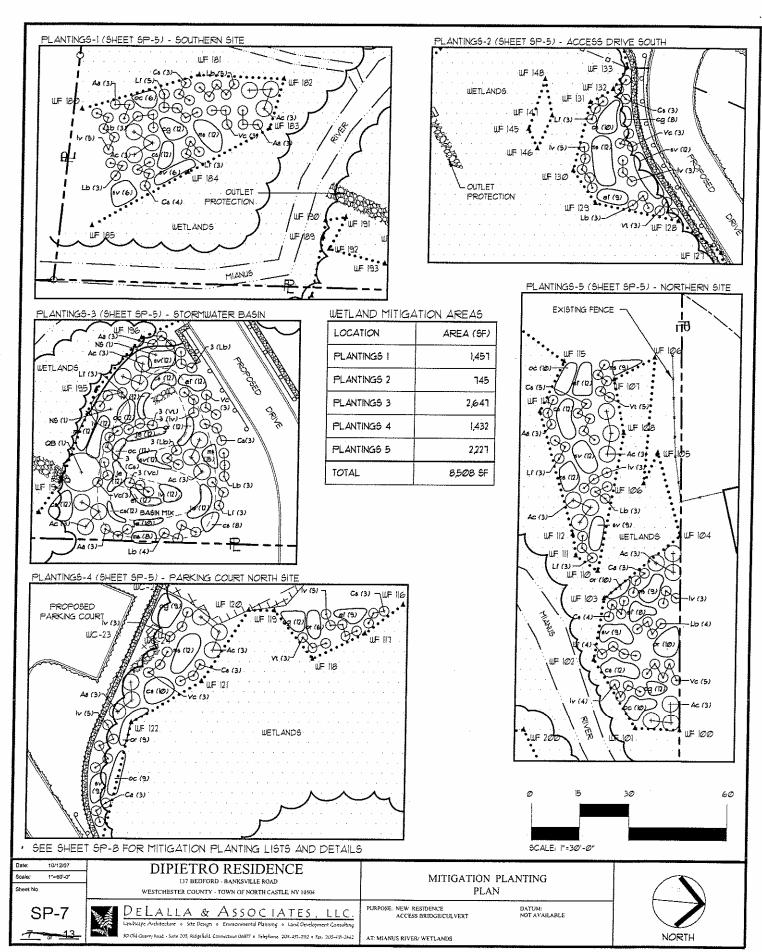




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MITIGATION PLANTING LIST FOR DIPIETRO RESIDENCE

	QTY - PLANTINGS I-5 (SP-6)								
SYMBOL	1	2	3	4	5	TTL	LATIN NAME	COMMON NAME	
TREE5									
QB	0	0	1	0	0		QUERCUS BICOLOR	SWAMP WHITE WILLOW	
N6	ø	0	2	0	0	2	NYSSA SYLVATICA	BLACK GUM	
SHRUBS									
Aa	6	0	6	3	3	18	ARONIA ARBUTIFOLIA	RED CHOKEBERRY	
Ac	6	0	9	3	12	30	AMELANCHIER CANADENSIS	SERVICEBERRY	
Ca	0	0	0	3	3	6	CLETHRA ALNIFOLIA HUMMING BIRD'	SUMMERSUEET CLETHRA	
Сь	7	3	6	6	9	31	CORNUS STOLINIFERA	KELSY RED-TWG DOGWO	
lv	5	8	3	13	10	39	ILEX VERTICILLATA RED SPRITE	WINTERBERRY	
Lb	11	3	13	0	7	34	LINDERA BENZOIN	6PICEBU9H	
Lf	8	3	6	0	Ø	27	LEUCOTHOE FONTANESIANA	DROOPING LEUCOTHOE	
Va	3	3	9	3	5	23	VACCINIUM CORYMBOSUM	HIGHBUSH BLUEBERRY	
٧ı	Ø	3	3	3	5	14	VIBURNUM TRILOBUM	AMERICAN CRANBERRY	
PERENNIAL									
දෙය	12	8	0	21	12	53	CHELONE GLABRA	TURTLE HEAD	
CS	12	10	44	Ø	24	100	CAREX STRICTA	TUSSOCK HEDGE	
ef	0	9	24	9	20	62	EUPATORIUM FISTULOSUM	JOE-PYE WEED	
iv	ø	0	36	0	ø	49	IRIS VERSICOLOR	BLUE FLAG IRIS	
je	ø	ø	46	0	ø	46	JUNCUS EFFUSES	SOFT RUSH	
πs	12	12	35	12	30	101	MATTEUCCIA STRUTHIOPTERIS	OSTRICH FERN	
oc	6	0	24	9	20	59	OSMUNDA CINNAMOMEA	CINNAMON FERN	
or	0	0	12	15	20	37	OSMUNDA REGALIS 'CRISTATA'	ROYAL FERN	
sv	12	12	24	9	30	87	SCIRPUS CYPERINUS	WOOL GRASS	
								$\overline{}$	

PLANT CENTER PLANT ROW

PLANTING 50IL

TYPICAL ON CENTER SPACING AS LABELED ON PLANTING PLAN OR LIST

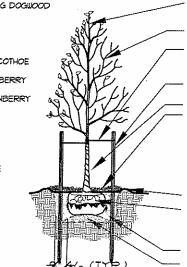
PLANT SPACING AS PER PLAN

2" PINE BARK MULCH INSTALLED BEFORE PLANTING

PLAYING 50IL
WILESS OTHER WISE SPECIFIED
3 PARTS TOPSOIL
I PART SAND
1 PART PEAT MOSS
5 LBS/CY BONE MEAL
3LBS/CY 5-W-5 FERTILIZER

NOTES:

- I. ALL MITIGATION PLANTING AREAS TO BE SEEDED WITH MEADOW MIX ERMX-122. PROVIDED BY ERNST CONSERVATION SEEDS. MEADOWVILL, PA. 1-800-873-3321.
- 2. STORMWATER BASIN TO BE SEEDED WITH BASIN MIX ERNMX-126, PROVIDED BY ERNST CONSERVATION SEEDS, MEADOWVILL, PA. 1-800-873-3321.



LEADER MUST REMAIN INTACT. DO NOT PRINE HEAD UNLESS SPECIFICALLY INSTRUCTED BY THE LANDSCAPE ARCHITECT

PRINE DEAD WOOD

GUTING FOR TREES UP TO 16' HT. 2 STRANDS OF 12 GALGE GALY, WIRE WITH 4" LENGTH 1/3" DIAM, BLACK RUBBER HOSE

ROND NATIVE CEDAR OR HARDWOOD STAKES, 8' MIN, LENGTH - 2 PER TREE TREE WRAPPING

3" DEEP MIN. SHREDDED BARK, MULCH

PIT SHALL BE I W TIMES LIDER THAN ROOT BALL

FORM EARTH SAUCER

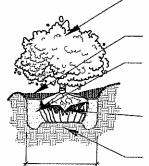
CUT BURLAP LOOSE FROM TOP 1/3 OF ROOT BALL AND FOLD DOWN REMOVE ALL NYLON AND WIRE STRAPPING FROM AROUND TRINK AND ROOTBALL.

PLANTING MIXTURE SEE SPEC.

LOCGEN SUBSOIL 6" BEI OW PIT

TREE PLANTING

NOT TO SCALE



TO BE I 1/2 TIMES WIDER THAN LL OR WIDEST SPREAD OF RE ROOTS, SINGLE TRENCH ALL BE DUG FOR SHRUBS IN A

DATUM: NOT AVAILABLE

PRINE DECIDIOUS SHRUB BACK V3 OR AS DIRECTED BY LANDSCAPE ARCHITECT. HEDGES SHALL BE PRINED TO UNIFORM HEIGHT AND SPREAD

3" MIN SHREDDED PINE BARK MULCH UNLESS OTHERWISE SPECIFIED

BACKFILL WITH PLANTING MIX 3 PARTS TOPSOIL 1 PART PEAT MOSS 1 PART SAND 5 LBS/CY BONE MEAL 1 LBS/CY BONE FERTILIZER UNLESS OTHERWISE SPECIFIED

REMOVE BURLAP FROM UPPER 1/3 OF ROOT BALL, REMOVE ALL NTLON AND WIRE STRAPPING FROM AROUND TRUNK AND ROOT BALL

LOOSEN BUBSOIL 3" BELOW PIT PRUNE DEAD WOOD

DECIDUOUS STOCK MAY BE SET 1"-3" DEEPER THAN SURROUNDING GRADE

NOTES: DO NOT ADD FERTILIZER TO PLANTING SOIL FOR FALL PLANTINGS

PERENNIAL & GROUND

COVER PLANTING

ELEVATION

PLAN- PERENNIALS AND GROUNDCOVER SPACING

NOT TO SCALE

DIPIETRO RESIDENCE

137 BEDFORD - BANKSVILLE ROAD

WESTCHESTER COUNTY - TOWN OF NORTH CASTLE, NY 10504

DELALLA & ASSOCIATES, LLC.

MITIGATION PLANTING **DETAILS & NOTES**

PURPOSE: NEW RESIDENCE ACCESS BRIDGE/CULVERT

AT: MIANUS RIVER/ WETLANDS

SHRUB PLANTING

NOT TO SCALE

N.T.S. Scale: SP-8

Landscape Architecture & Site Design & Environmental Planning & Land Development Consulting 30 Old Curany Apad - Sinte 203, Ridgefield, Connecticut 06877 e Telephone 203-451-2152 e Fai: 203-451-2442

NAN-7006-38t- ETE

WETLAND DISTURBANCE SECTION/ELEVATION A'-A" *2* 458 452 434 PROPOSED 426 4|4 EXISTING WETLAND ARE LAWN AREA PROPOSED BUILDING Д $\Delta^{\prime\prime}$ · SEE RETAINING WALL DETAIL SHEET FOR DIMENSIONS AND NOTES WETLAND DISTURBANCE SECTION/ELEVATION B'-B" WETLAND DISTURBANCE SECTION/ELEVATION C'-C" 426 426 426 426 414 4Ø8 4Ø4 4Ø2 4)4 EXISTING WETLAND 4Ø4 AREA EXISTING WETLAND AREA PROPOSED CULVERT/BRIDGE RIP-RAP PROTECTION В · SEE CULVERT & RIP-RAP PROTECTION DETAIL SHEETS FOR DIMENSIONS AND NOTES · SEE ENERGY DISSIPATOR DETAIL SHEET FOR DIMENSIONS AND NOTES SCALE: !"=20'-0"